



Zina Cheng <zina.cheng@lacity.org>

CF 17-0673, CPC-2016-2751-VZC-DB-SPR

1 message

Benjamin Fiss <ben@pacificzoning.com>

Thu, Aug 3, 2017 at 11:09 AM

To: "clerk.plumcommittee@lacity.org" <clerk.plumcommittee@lacity.org>, "zina.cheng@lacity.org" <zina.cheng@lacity.org>

Cc: Ackley Padilla <ackley.padilla@lacity.org>, Jim Dantona <jim.dantona@lacity.org>, Art Simonian <asimonian@metinvestments.com>

Ms. Cheng:

For Council File 17-0673, please find the attached requested modifications to the decision letter for CPC-2016-2751-VZC-DB-SPR. I will contact you shortly to confirm this information and answer any questions that you may have.

Thank you in advance for your assistance with this important matter.

Sincerely,

Ben

Benjamin Fiss, President

Pacific Zoning


ben@pacificzoning.com

www.pacificzoning.com

[\(818\) 488-9566](tel:(818)488-9566)

2 attachments

 **20170803 Condition Modifications.pdf**
182K

 **CPC-2016-2751 DL.pdf**
1361K

**8811-8845 N. Sepulveda Boulevard
15430 W. Rayen Street
8832-8840 N. Langdon Avenue
Los Angeles, CA 91434**

Re: CPC-2016-2751-VZC-DB-SPR

The applicant respectfully requests the following corrections and modifications to the decision letter for case CPC-2016-2751-VZC-DB-SPR issued May 22, 2017.

- 1) **Request to modify Condition 9b on page C-2 and modify Finding 4 on page F-3 and F-4 which addresses Solar Panels which are not required per Los Angeles Municipal Code.**

~~9b. The project shall install one solar panel per dwelling unit prior to the issuance of a Certificate of Occupancy.~~

The applicant shall coordinate with DWP regarding the feasibility of a rooftop lease agreement in order to reduce utility costs and provide solar power to low-income tenants.

4. Housing Element. The Housing Element of the General Plan will be implemented by the recommended action herein. The Housing Element is the City's blueprint for meeting housing and growth challenges. It identifies the City's housing conditions and needs, reiterates goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides the array of programs the City has committed to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element contains the following goals and objectives:

GOAL 1: Housing Production and Preservation.

Objective 1.1: Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.

Policy 1.1.2: Expand affordable rental housing for all income groups that need assistance.

Policy 1.1.3: Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city's households.

GOAL 2: Safe, Livable, and Sustainable Neighborhoods.

Objective 2.1: Promote safety and health within neighborhoods.

Objective 2.2: Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services, and transit.

Objective 2.3: Promote sustainable buildings, which minimize adverse effects on the environment and minimize the use of non-renewable resources.

Policy 2.3.3: Promote and facilitate the reduction of energy consumption in new and existing housing.

The recommended zone change from RA-1 to (T)(Q) R3-1 would allow for the development of the Westerly Portion of the site with multi-family density as contemplated by the Community Plan. The project would develop the 4.34 acre site with a maximum 364 dwelling units and will set aside ~~44 units~~ 11 percent of the total number of units provided for Very Low Income Households. The project would develop the underutilized site with additional housing opportunities for individuals and families, but for varying incomes as well. As proposed, the project would be consistent with Goal 1, as well as the objective and policies referenced above. The project will include a mix of market rate and restricted affordable units along a commercially developed corridor and within proximity to transit. ~~Additionally, the project proposes to install one solar panel per dwelling unit and to provide a minimum of 5 percent of installed EV chargers and 15 percent wired for installation of future EV chargers.~~ Additionally, the project would comply with existing Green Building codes, which were adopted to help facilitate the reduction of energy consumption. As the project proposes to construct residential dwelling units along a designated Boulevard II and within 1,000 feet of a freeway, a portion of the project has been conditioned to provide air filtration systems and construction of sound proof windows to reduce noise from the street. As such, the project is consistent with Goal 2 of the Housing Element and aforementioned objectives and policies.

- 2) Request to delete Condition 10 d. on page C-2 and C-3 and modify Finding 5 on page F-4 regarding electric vehicle parking which is not required per Los Angeles Zoning Code.

~~d. **Electric Vehicle Parking.** The project shall include at least twenty percent (20%) of the total Code required parking spaces provided for all types of parking facilities, but in no case less than one location, shall be capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating capacity. Of the 20% EV Ready, five (5) percent of the total Code required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the 20% or 5% results in a fractional space, round up to the next whole number. A label stating "EVCAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.~~

5. The Mobility Element. The Mobility Element (Mobility Plan 2035) of the General Plan is not likely to be affected by the recommended action herein. The project proposes to merge the nine parcels into one lot for the development of a maximum 364 unit residential building. In conjunction with the proposed zone change and merger, the project would be required to comply with dedication, merger, and improvement requirements along Sepulveda Boulevard, Rayen Street, and Langdon Avenue. At the public hearing, the Bureau of Engineering and the Deputy Advisory Agency approved modifications to the dedication and improvement requirements along Sepulveda Boulevard and Rayen Street. While the width of the dedication and improvement requirements were modified, the overall dedication and improvements

would be consistent with the intent and would not affect the Mobility Element. The Mobility Element contains the following policy:

Policy 5.4: Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.

~~As proposed and conditioned herein, a minimum of 15 percent of the Code-required parking spaces shall be capable of supporting future electric vehicle supply equipment (EVSE) and 5 percent will be equipped with EV chargers to immediately accommodate electric vehicles within the parking areas.~~ As per Los Angeles Municipal Code Section 99.04.106.4.2.2 et.al. the project shall provide 5% of the total number of parking spaces as electric vehicle charging spaces (EV spaces) capable of supporting future EVSE.

3) Request to modify Conditions A.2, A.3. and A.4 on page C-1, Finding 3 on page F-3 and Finding 8b.i. on page F-8 regarding the provision of Affordable Housing:

A2. Residential Density. The project shall be limited to a maximum density of 364 residential dwelling units, consisting of ~~44 units~~ 11% of the total units provided set aside for Very Low-Income Households.

A3. Affordable Units.

a. A minimum of ~~forty-four (44) units, that is~~ 11 percent of the ~~base~~ total number of dwelling units provided ~~permitted in the (T)(Q)R3-1 and C2-1 Zone,~~ shall be reserved as Very-Low Income units, as defined by the State Density Bonus Law 65915 (C)(2).

b. Changes in Restricted Units. Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22-A,25.

A4. Housing Requirements. Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make ~~forty-four (44)~~ 11% of the total number of units provided available to Very-Low Income Households, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the HCIDLA. Refer to the Density Bonus Legislation Background section of this determination.

Finding 3 paragraph 6

The project would improve the underutilized and underdeveloped site, which has not been improved since the 1960s, with a new and thoughtfully plan residential development that takes into consideration the existing development in the area. The project will set

aside ~~44~~ 11 percent of the total dwelling units provided for Very Low Income Households, providing new housing opportunities for individuals or families with restricted incomes. As proposed, the project would not only provide new and improved housing for mixed-incomes, but would provide amenities that would improve the quality of life for existing and future residents, consistent with the aforementioned goals and objectives.

Finding 8b.i. paragraph 3

The requested incentives, an increase in the allowable Floor Area Ratio (FAR) to a maximum of 3:1 for the portion of the site which is zoned C2-1 and to permit access from the less restrictive zone to the more restrictive zone, are expressed in the Menu of Incentives per LAMC Section 12.22-A,25(f) and, as such, permit exceptions to the zoning requirements that result in building design or construction efficiencies that provide for affordable housing costs. The requested incentives allow the developer to expand the building envelope so the additional affordable units can be constructed and the overall space dedicated to residential uses is increased. These incentives support the applicant's decision to set aside ~~44 dwelling units~~ 11% of the total number of units provided for Very Low Income households for a period of 55 years.

4) That the project description and approvals on the cover page be modified as follows:

Demolition of existing structures and the construction of a new maximum 364 unit apartment building, with eleven percent of the total number of units provided set aside for affordable housing. The project will vary in height from two- to three stories of dwelling units above one-level of on-grade parking near Langdon Avenue to four- and five-stories of dwelling units above two-levels of on-grade parking near Sepulveda Boulevard. The project will provide a total of 557 automobile parking spaces. The project will provide 368 long term bicycle parking spaces, and 37 short term bicycle parking spaces.

Modification of approval number 3 on the cover page regarding the number of units

3. Approved a set aside of 11 percent (~~44 units~~) of the total number of units provided reserved for Very Low-Income Households, pursuant to LAMC Section 12.22-A,25, to permit the construction of a maximum 364 residential units, utilizing Parking Option 1 and the following On-Menu Incentives:

- a. Floor Area Ratio (FAR) of 3:1 on the portion of the site which is zoned C2-1 and is located within 1,500 feet of a rapid bus stop;
- b. Permit vehicular and pedestrian travel from the less restrictive to more restrictive zone;

5) Miscellaneous corrections and modifications

Finding number 2 at the top of page F-2

The project site is a 4.34 acre site that has been developed with as a nursery. The project would remove the vacant structures on the site for the construction of a maximum 364-unit residential building. As the project site is currently developed with a nursery, the project would not require the displacement of existing residents

in order to provide the additional housing. The Westerly Portion of the site is zoned RA-1; however, the Community Plan contemplated the development of the site and surrounding areas for multi-family housing. The Community Plan designated the Westerly Portion with the Medium Residential land use designation, which lists the R3 Zone as a corresponding zone.

The recommended zone change to (T)(Q)R3-1 would permit the development of the underutilized and underdeveloped site with multi-family housing, consistent with designation by the Community Plan and Policy 1-1.1. In conjunction with the Easterly Portion of the site, which is zoned C2-1, the project proposes to develop the site with 340-364 residential dwelling units, of which ~~44 units~~ 11 percent of the total number of units provided will be set aside for Very Low-income Households. Although the project will not be utilizing the 35 percent density bonus, the project proposes to set aside dwelling units, consistent with LAMC Section 12.22-A,25, for Very Low-Income Households. The incorporation of affordable housing units will ensure that the development will provide new housing opportunities and choices for any income, age, or ethnic background. As such, the project is consistent with Objective 1-5 and Policies 1-5.1 and 3.

Entitlement Finding 7.a on page F-5

...Community Plan identifies a lack of open space in apartment projects and a scarcity of affordable housing as issues in the Plan Area. The recommended zone change to (T)(Q)R3-1 would allow the development of the westerly 1.35 acres of the site with multi-family housing, which would not be permitted with the current RA-1 Zone. In conjunction with the remaining 2.99 acres of the site, the project would develop the underutilized 4.34 acre site with a maximum 364 residential dwelling units, with ~~44 units~~ 11 percent of the total number of units provided set aside for Very Low Income Households. The project would not only provide much needed housing, but would provide a range of unit types and affordability for future residents.

Entitlement Finding 9.a. on page F-9

...The project site is developed with a nursery which was in operation since the 1950s. The project would remove the existing structures and develop the site with a 340-364-unit residential building that would include ~~44 units~~ 11 percent of the total number of units provided designated for Very-Low Income Households. As discussed in Finding No. 2, the project would be in conformance with the goals, objectives, and policies of the Community Plan by improving an underutilized site with a mixed-income residential development that would provide a range of one to three bedroom units, effectively providing different housing types to meet the needs of the Community. Additionally, the project would be required to dedicate and improve the public rights-of-way, which would be consistent with the intent of the Mobility Element of the General Plan. As such, the project is in substantial conformance with the General Plan and Community Plan.

Entitlement Finding 10.b on page F-10

...The project will develop the site with a maximum 364 residential dwelling units to be contained within four proposed buildings that will be located on one to two levels of above grade parking. The parking levels will be wrapped with residential dwelling units, as well as various residential amenities and services. Visibility of the parking levels will be minimal from the public rights-of-way. Parking will be accessible through driveways located along Sepulveda Boulevard, Rayen Street, and Langdon Avenue. Additionally, fire lane access will be provided from Rayen Street on the Western Portion of the site. This portion of the site has also been designed to provide a loading and service area. The Westerly Portion of the site, which has frontage along Langdon Avenue and Rayen Street, will be developed with one level of parking and one building that will range from two to three stories of residential dwellings. The building will be setback 34 feet from the northern property line on the Western Portion of the site. As proposed, the area will be designated for recreational or garden area. The Easterly Portion of the site, which has frontage along Sepulveda Boulevard and Rayen Street will be developed with two levels of parking and four to five stories of residential dwellings. The three buildings proposed on the Easterly Portion will be connected through pedestrian bridges located at the third story and above. The proposed project will observe all the required setbacks and has proposed to landscape the ground floor and podium level for the purposes of common open space. As proposed, the project would be compatible with existing and future development on adjacent properties and neighboring properties.

Entitlement Finding 10.c on page F-10

... The proposed project will develop the site with a maximum 364 residential dwelling units that will consist of one to three bedroom dwelling units. As required by LAMC Section 12.21-G, the project is required to provide 43,125 square feet of open space that may be provided as common or private open space. The project proposes to provide a 49,883 square feet of outdoor common open space located on the ground floor and podium level of the project. Of the 49,883 square feet of common open space, 29,575.8 square feet will be landscaped. The common areas located on the podium level has been designed to provide landscaping and separated areas for different types of recreational uses. These areas include: lounge garden, outdoor kitchen, dining area, pool terrace, game area, and play area. In addition to the outdoor common open space, the project will provide interior common open space that will include a fitness room along Sepulveda Boulevard and a game room along Langdon Avenue, adjacent to the proposed community park. Two of the buildings will feature indoor residential amenity areas on the third and fourth floors. Although not required, the project proposes to provide private balconies throughout the development. As proposed, the project has provided open space in excess of what is required by the zoning code and has programed the open space to take into consideration the varying recreational needs of the future residents. As such, the project has provided recreational and service amenities to improve the habitability for its residents and minimize impacts on neighboring properties.



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: MAY 22 2017

Case No.: CPC-2016-2751-VZC-DB-SPR
CEQA: ENV-2016-2752-MND
Plan Area: Mission Hills-Panorama City-North Hills

Council District: 6 – Martinez

Project Site: 8811 – 8845 North Sepulveda Boulevard;
15430 West Rayen Street;
8832 – 8840 North Langdon Avenue

Applicant: Art Simonian, Sepulveda Apartments, LLC
Representative: Benjamin Fiss, Pacific Zoning, LLC

At its meeting of **April 27, 2017**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

Demolition of existing structures and the construction of a new 364-unit apartment building, with eleven percent set aside for affordable housing. The project will vary in height from two- to three-stories of dwelling units above one-level of on-grade parking near Langdon Avenue to four- and five-stories of dwelling units above two-levels of on-grade parking near Sepulveda Boulevard. The project will provide a total of 557 automobile parking spaces, 368 long term bicycle parking spaces, and 37 short term bicycle parking spaces.

1. **Found**, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in Mitigated Negative Declaration, No. ENV-2016-2752-MND, adopted on April 14, 2017 (*under Case No. VTT-74705*); and pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required for approval of the project;
2. **Approved** and **recommended** that the City Council **adopt** a Vesting Zone Change pursuant to Los Angeles Municipal Code (LAMC) Section 12.32-F and Q, from RA-1 to (T)(Q)R3-1;
3. **Approved** a set aside of 11 percent (44 units) reserved for Very Low Income Households, pursuant to LAMC Section 12.22-A,25, to permit the construction of 364 residential units, utilizing Parking Option 1 and the following On-Menu Incentives:
 - a. Floor Area Ratio (FAR) of 3:1 on the portion of the site which is zoned C2-1 and is located within 1,500 feet of a rapid bus stop;
 - b. Permit vehicular and pedestrian travel from the less restrictive to more restrictive zone;
4. **Approved** Site Plan Review for a project creating more than 50 residential dwelling units, pursuant to LAMC Section 16.05-E;
5. **Adopted** the attached Conditions of Approval as modified by the Commission; and
6. **Adopted** the attached Findings.

The vote proceeded as follows:

The vote proceeded as follows:

Moved: Dake Wilson
Second: Mack
Ayes: Ambroz, Millman, Mitchell, Perlman
Absent: Choe, Katz, Padilla-Campos

Vote: 6 - 0



James K. Williams, Commission Executive Assistant II
Los Angeles City Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: *The decision of the Los Angeles City Planning Commission is final and not appealable as it relates to the Vesting Zone Change.* The decision of the Los Angeles City Planning Commission regarding the *On-Menu Density Bonus and Site Plan Review* is further appealable to the Los Angeles City Council within 20 days after the mailing date of this determination letter. Any appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

FINAL APPEAL DATE: JUN 12 2017

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

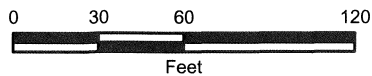
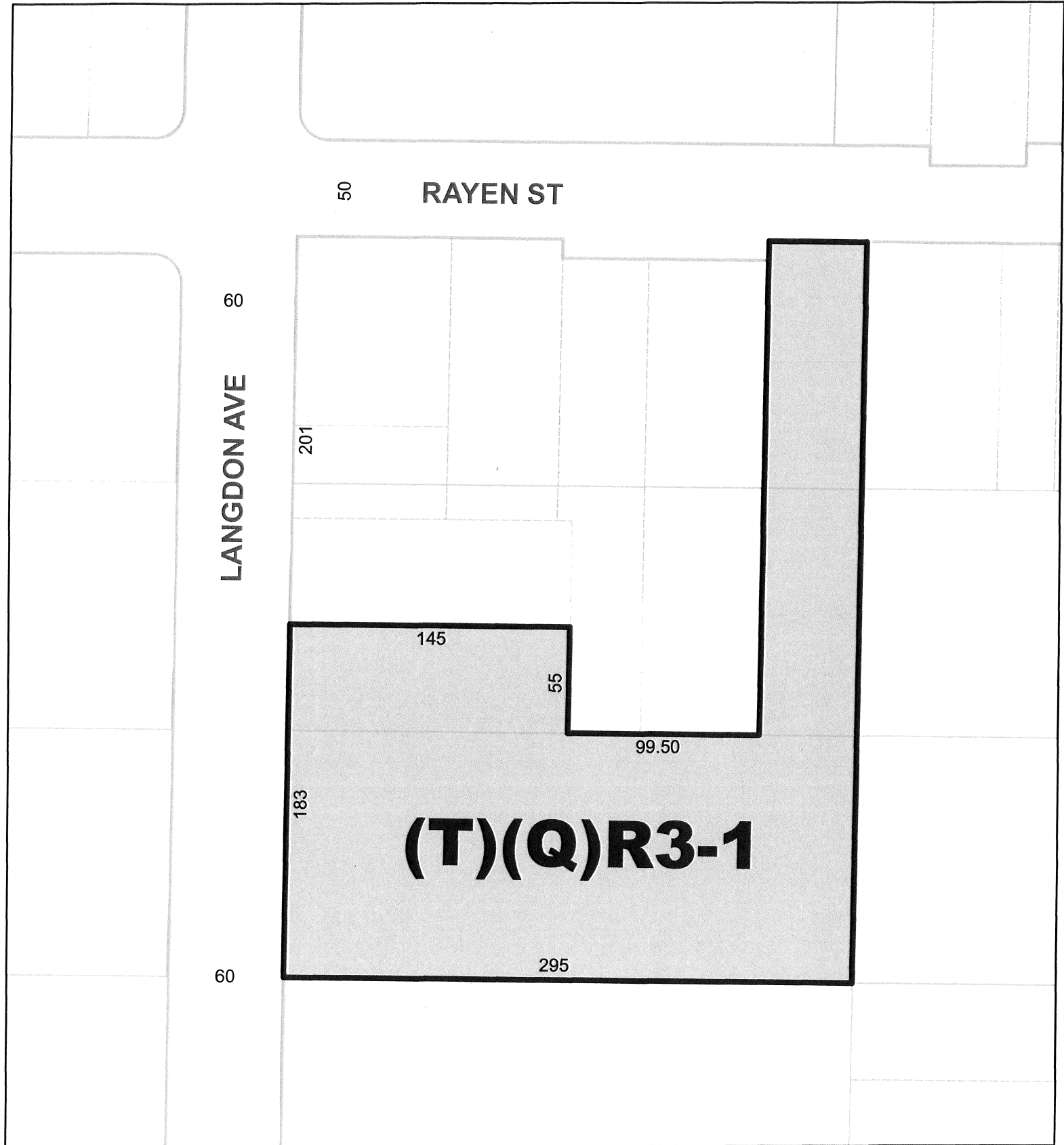
Attachments: Ordinance, Maps, Modified Conditions of Approval, Findings
c: Nicholas Hendricks, Senior City Planner
May Sirinopwongsagon, City Planner

ORDINANCE NO. _____

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:

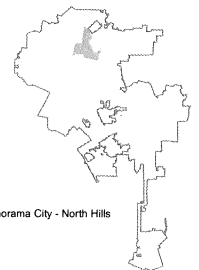


CPC-2016-2751-VZC-DB-SPR

AA/cf

050217

City of Los Angeles



CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32-G of the Municipal Code, the (T) or [T] Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

1. Responsibilities/Guarantees.

- a. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
- b. Prior to the issuance of sign-offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.

2. Dedication(s).

- a. Sepulveda Boulevard (Boulevard II) – Dedicate a 20-foot radius property line return be dedicated at the corner of Sepulveda Boulevard and Rayen Street adjoining the tract along with a variable width sidewalk easement along the property frontage to allow for construction of a 10-foot full width sidewalk.
- b. Rayen Street (Collector Street) – Dedicate a 13-foot wide strip of land be dedicated along Rayen Street adjoining the property frontage to complete a 33-foot wide half right-of-way in accordance with Collector Street standards of Mobility Plan 2035.
- c. Langdon Avenue (Local Street) – None.

3. Improvement(s).

- a. Sepulveda Boulevard – Reconstruct the existing sidewalk to provide a new 10-foot wide full width concrete sidewalk. Repair all broken, off-grade or bad order concrete curb and gutters. Upgrade all driveways to standards to comply with ADA requirements. Close all unused driveways with full height curb, 2-foot gutter, and sidewalk. Repair or replace other existing public improvements that may get damaged during construction of the proposed project. These improvements should suitably transition to join the existing improvements.
- b. Rayen Street – Construct additional surfacing to join the existing improvements to provide a 18-foot half roadway in accordance with Collector Street standards of Mobility Plan 2035, including asphalt concrete pavement, integral concrete curb, 2-foot wide gutter, and a 15-foot wide concrete sidewalk. Upgrade all driveways to comply with ADA requirements. Protect in place the existing 20-foot radius curb return at the corner of Sepulveda Boulevard and Rayen Street and install ADA access ramp. Repair

or replace existing public improvements that may get damaged during construction of the proposed project. These improvements should suitably transition to join the existing and proposed improvements.

- c. Langdon Street - Reconstruct the existing sidewalk to provide a new 10-foot wide full width concrete sidewalk. Repair all broken, off-grade or bad order concrete curb and gutters. Upgrade all driveways to standards to comply with ADA requirements. Close all unused driveways with full height curb, 2-foot gutter, and sidewalk. Repair or replace other existing public improvements that may get damaged during construction of the proposed project. These improvements should suitably transition to join the existing improvements.
 - d. Install tree wells with root barriers, plant street trees, and trim existing tree roots satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. The applicant should contact the Urban Forestry Division for further information (213) 847-3077.
 - e. Trees: Board of Public Works approval shall be obtained prior to the issuance of the Certificate of Occupancy of the development project, for the removal of any tree in the existing or proposed public right-of-way area associated with the improvement requirements outlined herein. The Bureau of Street Services Urban Forestry Division is the lead agency for obtaining Board of Public Works approval for the removal of such trees.
4. Bureau of Street Services, Urban Forestry Division:
- a. Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the sub divider or contractor shall notify the Urban Forestry Division (213-847-3077) upon completion of construction to expedite tree planting. If Street tree removal is required call 311 or 1 800 996-2489 to initiate the permitting process.
5. Bureau of Street Lighting: Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District. Construct new street lights:
- a. Two (2) on Rayen Street,
 - b. If street widening per BOE improvement conditions, relocate and upgrade street lights; four (4) on Sepulveda Boulevard.
6. Department of Transportation.
- a. All requirements and conditions listed in the DOT traffic assessment letter dated July 14, 2016, and all subsequent revisions to this traffic assessment, be applied to the tract map.
 - b. A parking area and driveway plan should be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and

Safety. Transportation approvals are conducted at 6262 Van Nuys Blvd., Room 320, Van Nuys, CA 91401.

7. Fire Department. Prior to the issuance of building permit, a plot plan shall be submitted to the Fire Department for approval.

Notice: If conditions dictate, connections to the public sewer system may be postponed until adequate capacity is available.

Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.) as required herein, are completed to the satisfaction of the City Engineer.

(Q) QUALIFIED CONDITIONS

Pursuant to Section 12.32 G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

1. **Development.** The use and development of the subject property shall be in substantial conformance with the site plan, floor plans, elevations, and renderings labeled Exhibit "A" dated April 17, 2017 and the Conditions of Approval of Case No. CPC-2016-2751-VZC-DB-SPR. Minor deviations may be allowed in order to comply with provisions of the Municipal Code.

CONDITIONS OF APPROVAL
As modified by the City Planning Commission on April 27, 2017

Pursuant to Sections 12.22-A.25, and 16.05 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

A. Development Conditions:

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the architectural plans, renderings, and materials submitted by the Applicant, stamped "Exhibit A," dated April 17, 2017 and attached to the subject case file.
2. **Residential Density.** The project shall be limited to a maximum density of 364 residential dwelling units, consisting of 44 units set aside for Very Low Income Households.

The density allocated in the (T)(Q)R3-1 and C2-1 Zones may be redistributed provided that the overall density of the project does not exceed 364 dwelling units and does not exceed the base density permitted in each zone.

3. **Affordable Units.**
 - a. A minimum of forty-four (44) units, that is 11 percent of the base dwelling units permitted in the (T)(Q)R3-1 and C2-1 Zone, shall be reserved as Very-Low Income units, as defined by the State Density Bonus Law 65915 (C)(2).
 - b. Changes in Restricted Units. Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22-A,25.
4. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make forty-four (44) units available to Very-Low Income Households, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the HCIDLA. Refer to the Density Bonus Legislation Background section of this determination.
5. **Incentives.**
 - a. **Floor Area Ratio (FAR).** The easterly portion of the project site located within the C2-1 Zone may be permitted a maximum FAR of 3:1.
 - b. **Access.** The project may permit pedestrian and vehicular access between the C2-1 Zone and (T)(Q)R3-1 Zone.
6. **Open Space.** The project shall provide open space in accordance with LAMC Section 12.21-G. Planting of required trees within the public right-of-way shall obtain approval

from the Urban Forestry Division prior to obtaining approval from the Department of City Planning.

7. **Landscaping.** Any trees that are required pursuant to LAMC Section 12.21-G and are planted on any rooftop or podium shall be planted in a minimum three (3) foot planter.
8. **Air Quality.** An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11 for the west facing dwelling units located along Langdon Avenue and are located within 1,000 feet of the San Diego Freeway (405 Freeway). The air filtration system shall be installed to the satisfaction of the Department of Building and Safety.

During operation, the Applicant or its successor shall verify that all air filters are properly maintained through inspection, self-certification, survey, or other equally effective measure. In addition, the Applicant or its successor shall be responsible for the replacement of all air filters at intervals to be established by the heating, ventilation and air conditioning (HVAC) system manufacturer. The Applicant or its successor shall retain, and make available to the City upon request, maintenance records related to the inspection and replacement of all air filters for at least 5 years after the recorded inspection date. The Applicant or its successor shall also ensure that long term funding for air filter maintenance and replacement is available.

9. **Sustainability.**
 - a. The project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.
 - b. The project shall install one solar panel per dwelling unit prior to the issuance of a Certificate of Occupancy.

10. **Parking.**
 - a. Residential automobile parking shall be provided consistent with LAMC Section 12.22-A,25. Reductions in the required automobile parking shall be consistent with the requirements of bicycle replacement pursuant to LAMC Section 12.21-A,4.
 - b. Tenants of the market rate residential dwelling units shall have the option to lease parking spaces separately from the residential dwelling units. Parking spaces for Restricted Affordable Units shall be sold or rented consistent with LAMC Section 12.22-A,25(d).
 - c. Adjustment of Parking. In the event that the number of Restricted Affordable Units should increase, or the composition of such units should change (i.e. the number of bedrooms), or the applicant selects another Parking Option (including Bicycle Parking Ordinance) and no other Condition of Approval or incentive is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be re-calculated by the Department of Building and Safety based upon the ratios set forth pursuant to LAMC Section 12.22-A,25.
 - d. **Electric Vehicle Parking.** The project shall include at least twenty percent (20%) of the total Code-required parking spaces provided for all types of parking facilities, but in no case less than one location, shall be capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and

electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating capacity. Of the 20% EV Ready, five (5) percent of the total Code-required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the 20% or 5% results in a fractional space, round up to the next whole number. A label stating "EVCAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

- e. **Bicycle Parking.** Residential bicycle parking shall be provided consistent with LAMC 12.21-A,16.

- 11. **Construction.** The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. On-site power generators shall either be plug-in electric or solar powered.
- 12. **Noise.** All exterior windows having a line of sight of a Boulevard (Major or Secondary Highway) shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Coefficient (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto. Or, the applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

B. Environmental Conditions:

- 13. **Aesthetics (Light).** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.
- 14. **Biological Resources (Habitat Modification: Nesting Native Birds, Non-Hillside or Urban Areas).** Project activities (including disturbances to native and nonnative vegetation, structures, and substrates) should take place outside of the breeding season for birds, which generally runs from March 1 to August 31 (and as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code, Section 86).

If Project activities cannot feasibly avoid the breeding season, beginning 30 days prior to the disturbance of suitable nesting habitat, the Project Applicant shall:

- a. Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent to the Project Site, as access to adjacent areas allows. The surveys shall be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis, with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.
- b. If a protected native bird is found, the Project Applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species until August 31.

- c. Alternatively, the qualified biologist could continue the surveys to locate any nests. If an active nest is located, clearing and construction (within 300 feet of the nest or as determined by a qualified biological monitor) shall be postponed until the nest is vacated and juveniles have fledged, and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.
 - d. The Project Applicant shall record the results of the recommended protective measures described previously to document compliance with applicable State and federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the Project.
15. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.

All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.

Removal or planting of any tree in the public right-of-way requires approval of Board of Public Works. All trees in the public right-of-way shall be provided per the current standards of the Department of Public Works, Urban Forestry Division, Bureau of Street Services.

16. The plans shall incorporate the Design Guidelines (defined in the following sentence) relative to security, semipublic and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

17. Increase Noise Levels (Demolition, Grading and Construction Activities).

- a. Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, must be turned off when not in use for more than 30 minutes.
- b. Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible.
- c. Stationary construction equipment, such as pumps, generators, or compressors, must be placed as far from noise sensitive uses as feasible during all phases of project construction.

- d. Implement noise attenuation measures to the extent feasible, which may include, but are not limited to, temporary noise barriers, sound walls, or noise blankets around stationary construction noise sources.

18. **Traffic (Work Area Traffic Management Plan)** The Project Applicant shall submit a formal Work Area Traffic Control Plan for review and approval by the Department of Building and Safety prior to the issuance of any construction permits. This plan shall incorporate safety measures around the site to reduce the risk to pedestrian traffic near the work area. This plan shall identify traffic control measures, signs, delineators, and work instructions to be implemented by the construction contractor through the duration of demolition and construction activity.

19. **Traffic (School access and safety coordination)**

- a. The developer and contractors shall maintain ongoing contact with administrator of Langdon Avenue Elementary School and Our Lady of Peace Catholic Church. The administrative offices shall be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (213)580-2950 or (213)580-2900 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.
- b. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- c. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on Langdon Avenue, or any streets adjacent to the school.
- d. Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on any streets adjacent to the school.

C. Administrative Conditions

20. **Approvals, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc, as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.

21. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.

22. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

23. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.

24. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
25. **Building Plans.** A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
26. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
27. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
28. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions include actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

FINDINGS

General Plan/Charter Findings

1. General Plan Land Use Designation.

The project site, located generally at 8811 North Sepulveda Boulevard, is located within the Mission Hills – Panorama City – North Hills Community Plan, which was adopted by the City Council on June 9, 1999. The project site is an irregularly shaped site consisting of approximately 4.34 acres of lot area, and is located, generally, at the southwest corner of Sepulveda Boulevard and Rayen Street. The westerly 1.35 acres (Westerly Portion) of the site has frontage, midblock, along the southern side of Rayen Street and frontage, midblock, along the eastern side of Langdon Street. The easterly 2.99 acres (Easterly Portion) has frontage along the southern side Rayen Street and along the western side of Sepulveda Boulevard.

The Community Plan designates the Westerly Portion with a land use designation of Medium Residential, which lists the R3 Zone as a corresponding zone. The Westerly Portion of the site is currently zoned RA-1 and the applicant has requested a zone change to R3-1. As recommended, (T)(Q)R3-1 Zone would be consistent with the land use designation. The Easterly Portion of the site has a land use designation of Community Commercial, which lists the following corresponding zones: CR, C2, C4, RAS3, RAS4P, and PB. The site is currently zoned C2-1 and is consistent with the land use designation. The applicant has not requested a zone change for this portion of the site. As recommended, the zone change to (T)(Q)R3-1 would allow for the development of multi-family residential dwelling units in an area which has been designation for higher density development. Additionally, the recommended zone change would allow for the irregularly shaped and large site to be developed with a density and height that is compatible with the existing community.

2. General Plan Text. The Mission Hills – Panorama City – North Hills Community Plan text includes the following relevant provision:

Objective 1-1: To provide for the preservation of existing and the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area.

Policy 1-1.1: Designate specific lands to provide for adequate multi-family residential development.

Policy 1-1.4: Protect the quality of the residential environment through attention to the appearance of communities, including attention to building and site design.

Objective 1-5: To promote and insure the provisions of adequate housing for all persons regardless of income, age, or ethnic background.

Policy 1-5.1: Promote greater individual choice in type, quality, price, and location of housing.

Policy 1-5.3: Ensure that new housing opportunities minimize displacement of the residents.

The project site is a 4.34 acre site that has been developed with as a nursery. The project would remove the vacant structures on the site for the construction of a 364-unit residential building. As the project site is currently developed with a nursery, the project would not require the displacement of existing residents in order to provide the additional housing. The Westerly Portion of the site is zoned RA-1; however, the Community Plan contemplated the development of the site and surrounding areas for multi-family housing. The Community Plan designated the Westerly Portion with the Medium Residential land use designation, which lists the R3 Zone as a corresponding zone.

The recommended zone change to (T)(Q)R3-1 would permit the development of the underutilized and underdeveloped site with multi-family housing, consistent with designation by the Community Plan and Policy 1-1.1. In conjunction with the Easterly Portion of the site, which is zoned C2-1, the project proposes to develop the site with 364 residential dwelling units, of which 44 units will be set aside for Very Low Income Households. Although the project will not be utilizing the 35 percent density bonus, the project proposes to set aside dwelling units, consistent with LAMC Section 12.22-A,25, for Very Low Income Households. The incorporation of affordable housing units will ensure that the development will provide new housing opportunities and choices for any income, age, or ethnic background. As such, the project is consistent with Objective 1-5 and Policies 1-5.1 and 3.

3. **Framework Element.** The Framework Element for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following goals, objectives and policies relevant to the instant request:

GOAL 3C: Multi-family neighborhoods that enhance the quality of life for the City's existing and future residents.

Objective 3.7: Provide for the stability and enhancement of multi-family residential neighborhoods and allow growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained or improved.

GOAL 4A: An equitable distribution of housing opportunities by type and cost accessible to all residents of the City.

Objective 4.1: Plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population.

The project site is bounded by Sepulveda Boulevard to the east, Rayen Street to the north, and Langdon Avenue to the west. The properties located to the north, south, and west of the Westerly Portion of the project site are designated for Medium Residential land uses and are zoned R3-1 and R3P-1. With the exception of a school and church, the surrounding properties are developed with multi-family housing. The recommended zone change to (T)(Q)R3-1 would permit the development of the Westerly Portion of the site multi-family housing that is consistent with land use designation and existing multi-family development in the area. The Easterly Portion of the site is designated for Community

Commercial land uses and is zoned C2-1. The Easterly Portion of the site has frontage along Sepulveda Boulevard which is a commercial corridor; however, this portion of Sepulveda Boulevard has seen very few improvements or new development. Although the project does not propose to provide a commercial component, the proposed ground floor along Sepulveda Boulevard has been designed with characteristics of commercial buildings. The ground floor has been designed to provide window transparency at the corner of Sepulveda Boulevard and Rayen Street and has located residential amenities along Sepulveda Boulevard.

The project would improve the underutilized and underdeveloped site, which has not been improved since the 1960s, with a new and thoughtfully plan residential development that takes into consideration the existing development in the area. The project will set aside 44 dwelling units for Very Low Income Households, providing new housing opportunities for individuals or families with restricted incomes. As proposed, the project would not only provide new and improved housing for mixed-incomes, but would provide amenities that would improve the quality of life for existing and future residents, consistent with the aforementioned goals and objectives.

4. **Housing Element.** The Housing Element of the General Plan will be implemented by the recommended action herein. The Housing Element is the City's blueprint for meeting housing and growth challenges. It identifies the City's housing conditions and needs, reiterates goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides the array of programs the City has committed to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element contains the following goals and objectives:

GOAL 1: Housing Production and Preservation.

Objective 1.1: Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.

Policy 1.1.2: Expand affordable rental housing for all income groups that need assistance.

Policy 1.1.3: Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city's households.

GOAL 2: Safe, Livable, and Sustainable Neighborhoods.

Objective 2.1: Promote safety and health within neighborhoods.

Objective 2.2: Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services, and transit.

Objective 2.3: Promote sustainable buildings, which minimize adverse effects on the environment and minimize the use of non-renewable resources.

Policy 2.3.3: Promote and facilitate the reduction of energy consumption in new and existing housing.

The recommended zone change from RA-1 to (T)(Q) R3-1 would allow for the development of the Westerly Portion of the site with multi-family density as contemplated by the Community Plan. The project would develop the 4.34 acre site with 364 dwelling units and will set aside 44 units for Very Low Income Households. The project would

develop the underutilized site with additional housing opportunities for individuals and families, but for varying incomes as well. As proposed, the project would be consisting with Goal 1, as well as the objective and policies referenced above. The project will include a mix of market rate and restricted affordable units along a commercially developed corridor and within proximity to transit. Additionally, the project proposes to install one solar panel per dwelling unit and to provide a minimum of 5 percent of installed EV chargers and 15 percent wired for installation of future EV chargers. Additionally, the project would comply with existing Green Building codes, which were adopted to help facilitate the reduction of energy consumption. As the project proposes to construct residential dwelling units along a designated Boulevard II and within 1,000 feet of a freeway, the project has been conditioned to provide air filtration systems and construction of sound proof windows to reduce noise from the street. As such, the project is consistent with Goal 2 of the Housing Element and aforementioned objectives and policies.

5. **The Mobility Element.** The Mobility Element (Mobility Plan 2035) of the General Plan is not likely to be affected by the recommended action herein. The project proposes to merge the nine parcels into one lot for the development of a 364 unit residential building. In conjunction with the proposed zone change and merger, the project would be required to comply with dedication, merger, and improvement requirements along Sepulveda Boulevard, Rayen Street, and Langdon Avenue. At the public hearing, the Bureau of Engineering and the Deputy Advisory Agency approved modifications to the dedication and improvement requirements along Sepulveda Boulevard and Rayen Street. While the width of the dedication and improvement requirements were modified, the overall dedication and improvements would be consistent with the intent and would not affect the Mobility Element. The Mobility Element contains the following policy:

Policy 5.4: Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.

As proposed and conditioned herein, a minimum of 15 percent of the Code-required parking spaces shall be capable of supporting future electric vehicle supply equipment (EVSE) and 5 percent will be equipped with EV chargers to immediately accommodate electric vehicles within the parking areas.

6. **The Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. While the sewer system might be able to accommodate the total flows for the proposed project, further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.

Entitlement Findings

7. Vesting Zone Change Findings.

- a. **Pursuant to Section 12.32-C and Q of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.**
Public Necessity, Convenience, and General Welfare

The project site is located within the Mission Hills – Panorama City – North Hills Community Plan. As it relates to residential development in the Plan Area, the

Community Plan identifies a lack of open space in apartment projects and a scarcity of affordable housing as issues in the Plan Area. The recommended zone change to (T)(Q)R3-1 would allow the development of the westerly 1.35 acres of the site with multi-family housing, which would not be permitted with the current RA-1 Zone. In conjunction with the remaining 2.99 acres of the site, the project would develop the underutilized 4.34 acre site with 364 residential dwelling units, with 44 units set aside for Very Low Income Households. The project would not only provide much needed housing, but would provide a range of unit types and affordability for future residents.

The project site has been developed with a nursery since the 1950s and was last improved in the 1960s. Due to the size of the site and unoccupied areas, the area could easily attract unsafe activities to the existing residential neighborhood. The proposed project would develop the site with four residential buildings located on a one- to two-level parking structure over the entirety of the site. As designed, the project would provide multiple access points for residents and vehicles, and provides for indoor and outdoor recreational spaces throughout the site. The project utilizes environmental design techniques to create physical attributes that distinguish the private and public realm, while eliminating large, unoccupied open areas.

The project site, which is located on the western side of Sepulveda Boulevard is generally located across from the North Hills Community Park, which is located at 8756 North Parthenia Place. Although, the site is located within close proximity of the park, the project has proposed to provide a number of common and private open space amenities in excess of what is required by the LAMC Section 12.21-G. The project would provide approximately 49,883 square feet of outdoor common open space, which has been program to include a recreational garden area along Langdon Avenue and courtyard at the 2nd story podium level. The courtyard is proposed to include landscaping, seating areas, swimming pools, outdoor kitchen, and game area. In addition to the outdoor common open area, the project would provide indoor recreational areas such as a game room, play room, and fitness area. Additionally, the dwelling units have been designed to include private balconies. As proposed, the recommended zone change to (T)(Q)R3-1 would facilitate the improvement of a vacant, underutilized site with a project that not only addresses the issues identified by the Community Plan, but is consistent with the public necessity, convenience, and general welfare.

Good Zoning Practice

As described above, the recommended zone change to (T)(Q)R3-1 would facilitate the development of the westerly 1.35 acres of the project site with multi-family housing. As the RA-1 Zone is a low density, single-family zone, which would not permit the development of the Westerly Portion with higher density multi-family housing that is consistent with the Medium Residential land use designation of the surrounding properties. The recommended zone change would permit a maximum of 73 dwelling units, or 99 dwelling units pursuant to LAMC Section 12.22-A,25, as oppose to the 3 single family lots permitted by the RA-1 Zone. The recommended (T)(Q)R3-1 would be consistent with the zoning of a majority of the surrounding properties to the west and south of the site. With the exception of the PF Zoned site that is developed with a school, these properties are zoned R3-1 and are developed with multi-family housing.

The project proposes to develop the Westerly Portion of the site in conjunction with the easterly 2.99 acres of the project site which is zoned C2-1. Although the recommended zone change would maintain a dual zone over the project site, it would ensure and maintain a transition from the higher density permitted in the C2 Zone to

the R3 Zone neighborhood. While the project has requested an On-Menu Incentive to permit access from the less restrictive C2 Zone to the R3 Zone, the project has been designed in a manner that the maximum permitted density and floor area does not exceed what is permitted in the respective zones.

- b. Pursuant to Section 12.32-G and Q of the Municipal Code “T” and “Q” Classification Findings.** The current action, as recommended, has been made contingent upon compliance with new “T” and “Q” conditions of approval imposed herein for the proposed project. The “T” Conditions are necessary to ensure the identified dedications, improvements, and actions are undertaken to meet the public’s needs, convenience, and general welfare served by the actions required. These actions and improvements will provide the necessary infrastructure to serve the proposed community at this site. The “Q” conditions that limit the scale and scope of future development on the site are also necessary to protect the best interests of and to assure a development more compatible with surrounding properties and the overall pattern of development in the community, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

8. Density Bonus/Affordable Housing Incentives Compliance Findings.

- a. Pursuant to LAMC Section 12.22 A.25 (e)(2), in order to be eligible for any on-menu incentives, a Housing Development Project (other than an Adaptive Reuse Project) shall comply with the following criteria, which it does:**

- i. The façade of any portion of a building that abuts a street shall be articulated with a change of material or a break in plane, so that the façade is not a flat surface.**

The project site is an irregularly shaped site, consisting of nine parcels, and approximately 4.35 acres of lot area. The site has approximately 508 feet of frontage along the western side of Sepulveda Boulevard, approximately 224 feet of noncontiguous frontage along the southern side of Rayen Street, and 183 feet of frontage along the eastern side of Langdon Avenue.

The eastern façade facing Sepulveda Boulevard has been designed with a continuous frontage along the first and second floors of the building. While the project proposes to provide two levels of above grade parking, the parking levels will be wrapped with dwelling units and other accessory uses to the residential building such as the lobby, leasing office, mail room, and indoor recreational uses. Although the proposed project will be connected through the proposed parking levels, the dwelling units have been designed to be located within four buildings. Three of the buildings will be located along the Sepulveda Boulevard frontage and will be connected by pedestrian bridges at the third floor and above. The fourth building is located on the Westerly Portion of the site with frontage on Langdon Avenue. The lobby and proposed indoor recreational area will be setback 15 feet from the property line and the proposed parking and three-story portion of the building will be setback 52 feet from the property line. As shown in the plans stamped Exhibit A, the facades of each of the buildings have been designed with changes in materials and colors, as well as breaks in the plane to give the illusion of multiple buildings with varying heights.

- ii. All buildings must be oriented to the street by providing entrances, windows architectural features and/or balconies on the front and along any street facing elevation.**

As previously described, three of the buildings have frontage along Sepulveda Boulevard. One of the three buildings is located at the corner of Sepulveda Boulevard and Rayen Street. The fourth building has frontage along Langdon Avenue. As indicated in the plans stamped Exhibit A, pedestrian and vehicular entryways have been located on all three street frontages to provide access to the parking area and the individual residential buildings. The buildings have been designed to consider each of the three streets, with windows and balconies facing not only the street facing the public right of way and the interior elevations as well.

- iii. **The Housing Development Project shall not involve a contributing structure in a designated Historic Preservation Overlay Zone (HPOZ) and shall not involve a structure that is a City of Los Angeles designated Historic-Cultural Monument (HCM).**

The proposed project is not located within a designated Historic Preservation Overlay Zone, nor does it involve a property that is designated as a City Historic-Cultural Monument.

- iv. **The Housing Development Project shall not be located on a substandard street in a Hillside Area or in a Very High Fire Hazard Severity Zone as established in Section 57.25.01 of the LAMC.**

The project site is a 4.34 acre site that is bounded by Sepulveda Boulevard to the east, Rayen Street to the north, and Langdon Avenue to the west. Sepulveda Boulevard is a designated Boulevard II and is dedicated to a varying width of 130 to 130 feet at the project's street frontage. Rayen Street is a designated Collector Street, dedicated to a width of 50 feet at the project's street frontage. Langdon Avenue is a designated Local Street – Standard, dedicated to a width of 60 feet. The site is not located on a substandard street in a Hillside area or in a Very High Fire Hazard Severity Zone as established in Section 57.25.01 of the LAMC.

- b. **Pursuant to Section 12.22 A.25(g) of the LAMC and Government Code 65915(d), the Commission shall approve a density bonus and requested incentive(s) unless the Commission finds that:**

- i. **The incentives does not result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.**

The record does not contain substantial evidence that would allow the Director to make a finding that the requested incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for very low, low, and moderate income households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

The list of on-menu incentives in 12.22-A.25 were pre-evaluated at the time the Density Bonus Ordinance was adopted to include types of relief that minimize restrictions on the size of the project. As such, the Director will always arrive at the conclusion that the density bonus on-menu incentives and do not result in identifiable and actual cost reductions, and are required to provide for affordable

housing costs because the incentives by their nature increase the scale of the project.

The requested incentives, an increase in the allowable Floor Area Ratio (FAR) to a maximum of 3:1 for the portion of the site which is zoned C2-1 and to permit access from the less restrictive zone to the more restrictive zone, are expressed in the Menu of Incentives per LAMC Section 12.22-A,25(f) and, as such, permit exceptions to the zoning requirements that result in building design or construction efficiencies that provide for affordable housing costs. The requested incentives allow the developer to expand the building envelope so the additional affordable units can be constructed and the overall space dedicated to residential uses is increased. These incentives support the applicant's decision to set aside 44 dwelling units for Very Low Income households for 55 years.

Floor Area Ratio Increase. The easterly 2.99 acres of the 4.34 acre site is zoned C2-1 which would permit a maximum FAR of 1.5:1, or 130,458 square feet of floor area. The FAR incentive permits an increase of the FAR not to exceed 3:1 for project sites which are located along a Major Highway and are located within 1,500 feet of a Transit Stop/Major Employment Center. The project site has approximately 508 feet of frontage along the western side of Sepulveda Boulevard, a designated Boulevard II, or Major Highway Class II, and is located within 800 feet of the Metro Bus stop for Rapid Line 734, which runs every 15 minutes and is considered to be a Transit Stop. The proposed 3:1 FAR would permit a maximum of 391,374 square feet of floor area on the Easterly Portion of the project site. The project proposes a maximum of 371,904 square feet of floor area or a 2.85:1 FAR for the Easterly Portion of the site. As designed, the FAR and density for the recommended (T)(Q)R3-1 and existing C2-1 Zone will not be averaged between the two zones. The granting of the additional 241,446 square feet within the Easterly Portion of the site would allow for the development of the 315 dwelling units, as well as, ensuring that the all the dwelling units are of a habitable size.

To Permit Vehicular Access from a Less Restrictive Zone to a More Restrictive Zone: The 4.34 acre site is designated by the Community Plan with two land use designations, Medium Residential for the Westerly Portion of the site and Community Commercial for the Easterly Portion of the site. As the Westerly Portion of the site is zoned RA-1, the Department has recommended a zone change to (T)(Q)R3-1 for consistency with the land use designation. Currently, the project site consists of nine parcels and is an irregularly shaped site with frontage and access along three streets. The project proposes to develop the site with one building that is connected by the proposed above grade parking levels that are accessible from Sepulveda Boulevard, Rayen Street, and Langdon Avenue. Due to the irregular shape of the project site, permitting vehicular access between the recommended (T)(Q)R3-1 and existing C2-1 Zone would allow for a practical design and configuration of the parking layout in the most efficient manner for the proposed building.

- ii. **The Incentive will have a specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there are no feasible method to satisfactorily mitigate or avoid the Specific Adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.**

There is no substantial evidence that the proposed incentive will have a specific adverse impact. A “specific adverse impact” is defined as, “a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete” (LAMC Section 12.22-A.25(b)). The proposed Project and potential impacts were analyzed in accordance with the City’s Environmental Quality Act (CEQA) Guidelines and the City’s L.A. CEQA Thresholds Guide. These two documents establish guidelines and thresholds of significant impact, and provide the data for determining whether or not the impacts of a proposed Project reach or exceed those thresholds. Analysis of the proposed Project involved the preparation of a Mitigated Negative Declaration (MND) (ENV-2016-2752-MND), and it was determined that the proposed Project may have an impact on the following environmental factors: Aesthetics, Biological Resources, Noise, Transportation and Traffic. As analyzed in the MND, potential impacts would be less than significant with the implementation of the identified mitigation measures. At a public hearing, the Deputy Advisory Agency modified a mitigation measure that would reduce impacts for Transportation and Traffic. The modification would require that the Applicant notify and maintain contact with a local church during the demolition, grading, and construction phases of the project. Pursuant to Section 15074.1 of the CEQA Guidelines, the modification of the mitigation measure does not require recirculation of the MND as the mitigation measure is “equivalent or more effective” in reducing potential impacts. The mitigation measures have been incorporated as Conditions of Approval herein (Conditions B. 13 through 19). Therefore, there is no substantial evidence that the proposed Project will have a specific adverse impact on the physical environment, on public health and safety, and on property listed in the California Register of Historic Resources.

- 9. Site Plan Review Findings. In order for the site plan review to be granted, all three of the legally mandated findings delineated in Section 16.05-F of the Los Angeles Municipal Code must be made in the affirmative:**
- a. The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.**

The project site is located within the Mission Hills – Panorama City – North Hills Community Plan. The site is not located within a specific plan area. The project site is a 4.34 acre site that is comprised of nine parcels. Of the 4.34 acres, the westerly 1.35 acres of the site is designated by the Community Plan with a land use designation of Medium Residential, which lists the R3 Zone as a corresponding zone. The recommended zone change from RA-1 to (T)(Q)R3-1 would be effectuate a zone that is not only consistent with, but corresponds to the land use designation. The remaining 2.99 acres of the site, referred to as the Easterly Portion, has a land use designation of Community Commercial. The Community Commercial land use designation lists the following corresponding zones: CR, C2, C4, RAS3, RAS4P, and PB. The Easterly Portion of the site is zoned C2-1 and is consistent with the land use designation. A zone change has not been requested or recommended for the Easterly Portion of the site.

The project site is developed with a nursery which was in operation since the 1950s. The project would remove the existing structures and develop the site with a 364-unit residential building that would include 44 units designated for Very Low Income Households. As discussed in Finding No. 2, the project would be in conformance with

the goals, objectives, and policies of the Community Plan by improving an underutilized site with a mixed-income residential development that would provide a range of one to three bedroom units, effectively providing different housing types to meet the needs of the Community. Additionally, the project would be required to dedicate and improve the public rights-of-way, which would be consistent with the intent of the Mobility Element of the General Plan. As such, the project is in substantial conformance with the General Plan and Community Plan.

- b. The project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or will be compatible with existing and future development on adjacent properties and neighboring properties.**

The project will develop the site with 364 residential dwelling units to be contained within four proposed buildings that will be located on one to two levels of above grade parking. The parking levels will be wrapped with residential dwelling units, as well as various residential amenities and services. Visibility of the parking levels will be minimal from the public rights-of-way. Parking will be accessible through driveways located along Sepulveda Boulevard, Rayen Street, and Langdon Avenue. Additionally, fire lane access will be provided from Rayen Street on the Western Portion of the site. This portion of the site has also been designed to provide a loading and service area. The Westerly Portion of the site, which has frontage along Langdon Avenue and Rayen Street, will be developed with one level of parking and one building that will range from two to three stories of residential dwellings. The building will be setback 34 feet from the northern property line on the Western Portion of the site. As proposed, the area will be designated for recreational or garden area. The Easterly Portion of the site, which has frontage along Sepulveda Boulevard and Rayen Street will be developed with two levels of parking and four to five stories of residential dwellings. The three buildings proposed on the Easterly Portion will be connected through pedestrian bridges located at the third story and above. The proposed project will observe all the required setbacks and has proposed to landscape the ground floor and podium level for the purposes of common open space. As proposed, the project would be compatible with existing and future development on adjacent properties and neighboring properties.

- c. Any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.**

The proposed project will develop the site with 364 residential dwelling units that will consist of one to three bedroom dwelling units. As required by LAMC Section 12.21-G, the project is required to provide 43,125 square feet of open space that may be provided as common or private open space. The project proposes to provide a 49,883 square feet of outdoor common open space located on the ground floor and podium level of the project. Of the 49,883 square feet of common open space, 29,575.8 square feet will be landscaped. The common areas located on the podium level has been designed to provide landscaping and separated areas for different types of recreational uses. These areas include: lounge garden, outdoor kitchen, dining area, pool terrace, game area, and play area. In addition to the outdoor common open space, the project will provide interior common open space that will include a fitness room along Sepulveda Boulevard and a game room along Langdon Avenue, adjacent to the proposed community park. Two of the buildings will feature indoor residential amenity areas on the third and fourth floors. Although not required, the project proposes to provide private balconies throughout the development. As proposed, the

project has provided open space in excess of what is required by the zoning code and has programed the open space to take into consideration the varying recreational needs of the future residents. As such, the project has provided recreational and service amenities to improve the habitability for its residents and minimize impacts on neighboring properties.

Environmental Findings

- 10. Environmental Finding.** A Mitigated Negative Declaration (MND), along with mitigation measures and a Mitigation Monitoring Program (ENV-2016-2752-MND), was prepared for the proposed project in compliance with the California Environmental Quality Act (CEQA). Comments were received during the public comment period of the MND in regards to impacts related to information regarding the construction phase of the project, impacts on air quality, utilities and wastewater facilities, and greenhouse gases. The Advisory Agency considered comments submitted during the comment period, at and after the public hearing regarding the MND. Pursuant to Section 15074.1 of the CEQA Guidelines, the Advisory Agency modified a mitigation measure to further the effectiveness of the measure to reduce impacts and incorporated the modified measures as part of the conditions of approval. The MND, modified mitigation measures, and Mitigation Monitoring program were adopted by the City's Advisory Agency on April 14, 2017 in connection with the City's action in Case No. VTT-74705. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds in its independent judgment and analysis that this project was environmentally assessed in Case No. ENV-2016-2751-MND. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.
- 11. Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.